

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHERYL A. McNAMEE,

Defendant.

ORDER

11-cr-142-bbc

Defendant Cheryl A. McNamee was found guilty of wilfully making and subscribing a false income tax return, in violation of 26 U.S.C. § 7206(1), sentenced to a term of 24 months in the custody of the Bureau of Prisons, and ordered to make restitution of \$595,473.42. She later filed a motion to vacate her sentence under 28 U.S.C. § 2255; it was denied on February 28, 2013. Dkt. #42.

In April 2020, defendant asked the court for a suspension of her required restitution payments during the pandemic, dkt. #55, and was told in a letter dated April 24, 2020 that her request would not be considered unless she could demonstrate that she had no means of support at the time or only limited means, no savings, no assets such as real estate, real property that she might be occupying free of charge, automobiles, boats, jewelry, antiques, stocks, bonds or any other instrument of credit time and no likelihood of obtaining any assets and that she had not received support from any person in the preceding three years.

Dkt. #57. Defendant did not file a response to the court's letter.

On August 31, 2021, defendant moved for reconsideration of the question of her eligibility for a suspension of her required restitution. She supported it with a letter and two completed forms that contain specific allegations about her and her husband's financial status. Dkt. #59. Accordingly, I will set a briefing schedule on the matter.

ORDER

IT IS ORDERED that defendant may have until October 1, 2021, in which to add any further financial information to her request for a suspension of restitution; the government may have until October 21, 2021 in which to respond; and defendant may have until November 1, in which to reply.

Entered this 10th day of September, 2021.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge